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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,387	01/09/2004	Raymond M. Hill	LCB444	7814

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EXAMINER

ESTRADA, ANGEL R

ART UNIT PAPER NUMBER

2831

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/754,387

Applicant(s)

HILL, RAYMOND M.

Examiner

Angel R. Estrada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11, 12, 14, 16-22, 26, 27 and 29 is/are rejected.
- 7) ☒ Claim(s) 8-10, 13, 15, 23-25, 28 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/15/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed on March 15, 2004 has been considered by the Examiner.

Claim Objections

2. Claims 5 and 20 are objected to because of the following informalities:

Claim 5 line 1, before "the hanging box" insert --wherein--.

Claim 20 line 1, before "the hanging box" insert --wherein--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 11, 12, 14, 16-22, 26, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bateson et al (US 6,355,880; hereinafter Bateson) in view of Yetter (US 5,486,650).

Regarding claim 1, Bateson discloses a versatile device (10 or see figure 1) for enabling at least one receptacle (56) to be installed in a raceway system (14), the versatile device (10) comprising: a hanging box (50 or 50') adapted to be secured to the

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raceway system (14), the hanging box (50' or see figure 6 or 7)) having a compartment for housing at least one receptacle (56) and a divider wall (58) positioned within the compartment for dividing the compartment to house two receptacles (see figures 6 or 7), and a faceplate adapter (52 or 52') positioned over the hanging box (50) and adapted to be secured to the raceway system (14), the faceplate adapter (52 or 52') having a main body with an aperture (140) for providing access to the hanging box (50), the main body having a removable section (152) being positioned within the aperture (140) such that removal of the removable section (152) expands the aperture (see figure 1); but Bateson lacks the hanging box having a removable divider wall. Yetter teaches a box (10) adapted to be secured to a raceway system (68) having a compartment (see figure 1) for housing at least one receptacle (15a) and a removable divider wall (12) positioned within the compartment for dividing the compartment to house two receptacles (see figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make Bateson's divider wall removable as taught by Yetter to provide a divider wall capable of being removed whenever is necessary.

Regarding claim 2, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') has a plurality of bosses (102) for receiving a fastener to secure the at least one receptacle (56) to the hanging box (column 6 lines 66-67).

Regarding claim 3, the modified Bateson discloses the versatile device (10 or see figure 1), wherein the removable divider wall (58; as taught by Yetter) separates the compartment into a first compartment and a second compartment (see figures 6 or 7).

Regarding claim 4, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') having a plurality of bosses (102) with at least one boss being positioned in the first compartment (see figures 6 or 7) and at least one boss being positioned in the second compartment (see figure 6 or 7).

Regarding claim 5, the modified Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') further having at least one boss (102) positioned adjacent to the removable divider wall (58; as taught by Yetter).

Regarding claim 6, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') having a front wall, a back wall, a bottom wall, a first side wall extending upwards from the bottom wall and a second side wall extending upwards from the bottom wall (see figure 4), the bottom wall (68) having at least one removable breakout section (108) for enabling wires to be routed from a channel in the raceway system to the at least one receptacle (column 5 lines 38-44).

Regarding claim 7, the modified Bateson discloses the versatile device (10 or see figure 1), wherein the removable divider wall (58, as taught by Yetter) forms a portion of one of the side walls of the hanging box (see figures 4, 6 or 7).

Regarding claim 11, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50) having a separation wall (54) for maintaining channel division in the raceway system (see figure 1).

Regarding claim 12, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') having latch elements (70) for engaging the raceway system (see figure 1, 3 or 5).

Regarding claim 14, Bateson discloses the versatile device (10 or see figure 1), wherein the removable section (152) of the faceplate adapter (52) being removed from the faceplate adapter to define an enlarged aperture for receiving a dual receptacle faceplate (see figure 1, 6 and 7).

Regarding claim 16, Bateson discloses a raceway system (10 or see figure 1) comprising: a raceway (14) having a base, a first side wall (18) extending upwardly from the base, a second side wall (18) extending upwardly from the base and a divider wall (26) positioned between the first side wall and the second side wall and extending upwardly from the base (see figure 1); a hanging box (50 or 50') mounted in the raceway (14) between the first side wall and the second side wall (see figure 1), the hanging box (50 or 50') having a compartment for housing at least one receptacle (56) and a divider wall (58) positioned within the compartment for dividing the compartment to house two receptacles (see figure 6 or 7), a faceplate adapter (52) positioned over the hanging box (50 or 50') and mounted to the raceway, the faceplate adapter (52 or 52') having a main body with an aperture for providing access to the hanging box (see figures 1, 4 and 6), the main body having a removable section (152) being positioned within the aperture such that removal of the removable section (152) expands the aperture (see figure 1); and a faceplate (152) mounted to the faceplate adapter (50 or 50') for covering the at least one receptacle housed in the hanging box (see figure 1);

but Bateson lacks the hanging box having a removable divider wall. Yetter teaches a box (10) adapted to be secured to a raceway system (68) having a compartment (see figure 1) for housing at least one receptacle (15a) and a removable divider wall (12) positioned within the compartment for dividing the compartment to house two receptacles (see figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make Bateson's divider wall removable as taught by Yetter to provide a divider wall capable of being removed whenever is necessary.

Regarding claim 17, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') has a plurality of bosses (102) for receiving a fastener to secure the at least one receptacle (56) to the hanging box (column 6 lines 66-67).

Regarding claim 18, the modified Bateson discloses the versatile device (10 or see figure 1), wherein the removable divider wall (58; as taught by Yetter) separates the compartment into a first compartment and a second compartment (see figures 6 or 7).

Regarding claim 19, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') having a plurality of bosses (102) with at least one boss being positioned in the first compartment (see figures 6 or 7) and at least one boss being positioned in the second compartment (see figure 6 or 7).

Regarding claim 20, the modified Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') further having at least one boss (102) positioned adjacent to the removable divider wall (58; as taught by Yetter).

Regarding claim 21, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') having a front wall, a back wall, a bottom wall, a first side wall extending upwards from the bottom wall and a second side wall extending upwards from the bottom wall (see figure 4), the bottom wall (68) having at least one removable breakout section (108) for enabling wires to be routed from a channel in the raceway system to the at least one receptacle (column 5 lines 38-44).

Regarding claim 22, the modified Bateson discloses the versatile device (10 or see figure 1), wherein the removable divider wall (58) forms a portion of one of the side walls of the hanging box (see figures 4, 6 or 7).

Regarding claim 26, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50) having a separation wall (54) for maintaining channel division in the raceway (see figure 1).

Regarding claim 27, Bateson discloses the versatile device (10 or see figure 1), wherein the hanging box (50 or 50') having latch elements (70) for engaging the first and second sidewall of the raceway (see figure 1, 3 or 5).

Regarding claim 29, Bateson discloses the versatile device (10 or see figure 1), wherein the removable section (152) of the faceplate adapter (52) being removed from the faceplate adapter to define an enlarged aperture for receiving a dual receptacle faceplate (see figure 1, 6 and 7).

Allowable Subject Matter

4. Claims 8-10, 13, 15, 23-25, 28 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The primary reason for the indication of the allowability of claims 8-10, 13, 15, 23-25, 28 and 30 are:

Regarding claims 8 and 9, the prior art does not teach or fairly suggest in combination with the other claimed limitations the hanging box having arm extensions that extend from the second side wall for defining a portion of the compartment.

Regarding claim 10, the prior art does not teach or fairly suggest in combination with the other claimed limitations the hanging box having arm extensions that define a portion of the compartment.

Regarding claim 13, the prior art does not teach or fairly suggest in combination with the other claimed limitations of the removable section of the faceplate adapter having a plurality of slots and a plurality of downwardly extending flanges for receiving a single receptacle faceplate.

Regarding claim 15, the prior art does not teach or fairly suggest in combination with the other claimed limitations of the faceplate adapter having a bottom with a plurality of notches for engaging the raceway system.

Regarding claims 23 and 24, the prior art does not teach or fairly suggest in combination with the other claimed limitations of hanging box having arm extensions that extend from the second side wall for defining a portion of the compartment.

Regarding claim 25, the prior art does not teach or fairly suggest in combination with the other claimed limitations the hanging box having arm extensions that define a portion of the compartment.

Regarding claim 28, the prior art does not teach or fairly suggest in combination with the other claimed limitations the removable section of the faceplate adapter having a plurality of slots and a plurality of downwardly extending flanges for receiving a single receptacle faceplate.

Regarding claim 30, the prior art does not teach or fairly suggest in combination with the other claimed limitations the faceplate adapter having a bottom with a plurality of notches for engaging the first and second side walls of the raceway.

These limitations were found in claims 8-10, 13, 15, 23-25, 28 and 30, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. VanderVelde et al (US 6,384,336), Caveney et al (US 5,998,732), Russo et al (US 5,942,724), Vargas et al (US 6,881,083), Benito-Navazo (US 6,335,485), Pawson et al (US 6,323,421) and Coutant et al (US 6,576,834) disclose a raceway system with a receptacle.

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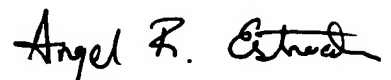
6. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 19, 2005


Angel R. Estrada
Patent Examiner
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